

GNB Incorporated

Resource Recycling Division

2700 South Indiana Street
P.O. Box 23957
Los Angeles, CA 90023-0957
Telephone (213) 262-1101
FAX Adm. (213) 269-1906
Gen. (213) 266-1817



September 18, 1993

Chief, Facility Management Branch -- Region III
Department of Toxic Substances Control
1011 N. Grandview Avenue
Glendale, California 91201

Re: H.W.C.A. No. 93/94-006
CONSENT AGREEMENT AND ORDER

Dear Sir:

This letter is sent to fulfill the requirement under paragraph 6.1.32. Verification Submittal, and describes when and how GNB completed each item of corrective action described in paragraphs 6.1.1 through 6.1.31 of the Agreement. Most of the items had already been completed, prior to the signing of the Agreement and are so noted.

6.1.1 Respondent will not maintain hazardous waste piles unless they are in compliance with Title 22, sections 66265.250 through 66265.258.

This item was corrected prior to the signing of the Agreement. Currently, in accordance with the Land Disposal Restrictions, no waste piles are maintained at the Facility. Since the "waste" materials managed at GNB are classified as hazardous (D008) primarily due their lead content, and D008 wastes are restricted from any form of land disposal, lead bearing materials that are not amenable to management in tanks or containers due to their bulk and volume are managed within either the reverb feed room or the blast furnace feed room. These areas are designed and operated in a manner that provides similar containment as that provided by a tank. These areas are being incorporated into the Part B application as regulated units in accordance with the technical standards of 40 CFR 265.1100 - Containment Buildings.

6.1.2 Respondent will handle the following materials in accordance with California law: (1) battery separator case waste, (2) crushed or used drums and (3) crucibles; Respondent will not maintain these materials in unpermitted hazardous waste piles.

DTSC - REGION 3
RECEIVED

SEP 22 1993

FMB - SURVEILLANCE
& ENFORCEMENT

This item was corrected prior to the signing of the Agreement. Battery separator waste is managed within the reverb feed room. This material is charged to the reverberatory furnace as a reducing agent. Crushed steel drums are managed within the blast furnace feed room. This material is charged to the blast furnace as a fluxing agent, providing part of the iron requirement to the furnace. Crucibles are repaired/reworked and returned to service. Crucibles are not intended for discard, and are therefore not wastes.

6.1.3 When Respondent ships any products, materials, wastes or recyclable materials off its premises, Respondent will ensure that the outgoing trucks or containers do not leak hazardous wastes onto the streets or highways.

This item was corrected prior to the signing of the Agreement. Spent batteries that cannot be managed at the facility (some steel cased batteries, Ni-Cad batteries, etc.) are placed on pallets, stretch-wrapped, and securely banded in place. Slag (a dry, solid material) that is shipped off-site for disposal is placed in a steel roll-off box with a tarp securely covering it. Responsible employees have been trained in the proper management methods for these materials.

6.1.4 Prior to shipping its polypropylene chips off its premises, Respondent will dry them sufficiently to ensure that leachate from these chips does not leak onto the streets or highways.

This item was corrected prior to the signing of the Agreement. Crushed polypropylene battery case material is separated from other components within the raw material processing system (RMPS). These plastic chips are pneumatically conveyed into a trailer. The trailer is staged within the GNB facility where the chips are allowed to air dry. Before leaving the property, each trailer containing plastic chips is washed off at the mobile equipment wash area. Again, the trailer is allowed to air dry before it leaves the site.

6.1.5 Respondent will ship its polypropylene chips under hazardous waste manifest, using a registered transporter, to a Facility which has a Permit or other authorization from the Department allowing it to accept hazardous waste.

This item was corrected prior to the signing of the Agreement. The polypropylene chips are sent to KW Plastics where they are reclaimed to yield pelletized polypropylene, which is subsequently used to manufacture new battery cases. When this material leaves the GNB facility, it is accompanied by a hazardous waste manifest (with applicable Land Disposal Restriction notifications attached). It is transported via a registered transporter (Sanders Trucking). KW Plastics has been issued an EPA ID number (CAD 982435026) and has authorization from the Department to accept the polypropylene chips from GNB.

6.1.6 Respondent will post and maintain signs with the warnings required by Title 22, section 66265.14(c) at the entrance to the active portion of the Facility.

Existing warning signs were posted at the following locations prior to the signing of the Agreement:

- (1) Entrance to the RMPS room
- (2) At the railroad dock
- (3) At each battery storage area

Additional signs with the legend "Danger Hazardous Waste Area -- Unauthorized Personnel Keep Out," have been posted at scale house entrance and at the Indiana Street entrance to the plant. The legend is presented in English and Spanish and is legible from a distance of at least 25 feet.

6.1.7 Respondent will make emergency arrangements with emergency response agencies, including local police and fire departments and local hospitals, as required by Title 22, section 66265.37.

This item was corrected prior to the signing of the Agreement. Copies of letters sent out to police, fire departments, emergency response teams and the local Office of Emergency Services are on file at the GNB facility. Attached to each letter was a brief description of the facility and processes along with a site plan. As the Contingency Plan is updated, new letters will be sent out, copies of which will be maintained on-site. An example of the type of letter to be sent out with the updated Contingency Plan is attached as Exhibit 1.

6.1.8 Respondent will develop and follow a waste analysis plan which identifies the components of its waste streams, as required by Title 22, section 66265.13(b).

This item was corrected prior to the signing of the Agreement. A waste analysis plan was developed as part of the original Part B application submittal in November 1988 and subsequently revised in February 1991 and June 1992. It can be found in Section 5 of the Part B application and is maintained on-site. Documentation as to its implementation is initiated at the scale house and ultimately filed in the Environmental Clerk's Office. As allowed by 22 CCR 66265.13(a)(2)(B), GNB solicits the required information from the supplier (e.g., generator) of the lead bearing raw materials (e.g., hazardous waste). An example of the letter used to obtain the generator's certification is attached as Exhibit 2. The letter also lists what materials are acceptable for lead reclamation at GNB's Resource Recycling facility.

6.1.9 Respondent will maintain an adequate inspection schedule and inspection log, including during periods when its environmental clerk is on vacation, as required by Title 22, section 66265.15(d).

This item was corrected prior to the signing of the Agreement. The inspection schedule can be found in Section 8.3 of the Part B application. The inspection log sheets are filled out by the Environmental Clerk. When person filling this position is not available, a designated individual is responsible for recording the inspection findings. The inspection log sheets are maintained at the facility (in the Environmental Clerk's Office) for at least three years from the date of inspection. The inspection log includes the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.

6.1.10 Respondent will maintain a Contingency Plan which complies with the provisions of Title 22, sections 66265.51 and 66265.52, and contains, without limitation, (1) a specific description of actions to be taken by company personnel in an emergency, (2) a description of arrangements with emergency response agencies, (3) a listing of all emergency equipment, with a description of the location and capability of each item, (4) a legible evacuation plan which describes the signals to be used to begin evacuation, and (5) the name of the primary and all alternate emergency coordinators.

This item was completed prior to the signing of the Agreement. A copy of the Contingency can be found in Section 10 of the Part B application. Copies of the plan are maintained at the facility (locations are listed in the plan) and with the Environmental Manager, the Plant Manager, the Furnace Department Head, the Environmental Chemist, the Maintenance Manager, the Engineering Manager, and the Safety Manager. The persons filling these positions also serve as primary and alternate emergency coordinators on a rotating schedule which is posted in each office. The plan presents a description of actions to be taken by plant personnel in general terms and for specific types of incidents. It documents the arrangements made with emergency response agencies. Section 10.____ lists the required emergency response equipment information. Evacuation routes for each department are presented. Portable compressed air type horns are present in each control center for use in a facility wide emergency for notifying personnel to begin evacuation. This plan is routinely reviewed to keep it up to date. The most recent review and revision began in August 1993 and will be distributed to appropriate emergency response and regulatory agencies upon its completion (estimated completion date September 24, 1993).

6.1.11 Respondent will maintain a closure plan which complies with the provisions of Title 22, section 66265.112 and, without limitation, details the equipment and methods for testing contaminated soil.

This item was completed prior to the signing of the Agreement. A closure plan was developed as part of the original Part B application submittal in November 1988 and subsequently revised in February 1991 and June 1992. It can be found in Section 13 of the Part B application and is maintained on-site. The plan was edited in September of 1993 to include details on the equipment and methods for testing for contaminated soil. The revised closure plan will be distributed to appropriate regulatory agencies upon its availability (estimated delivery date is October 4, 1993).

6.1.12 Respondent will maintain a closure cost estimate, as required by Title 22, section 66265.142.

This item was completed prior to the signing of the Agreement. A closure cost estimate was developed as part of the original Part B application submittal in November 1988 and subsequently revised in February 1991 and June 1992. It can be found in Section 14 of the Part B application and is maintained on-site. The cost estimate is adjusted annually for inflation. The new amount is reflected in the financial assurance instrument.

6.1.13 Respondent will maintain a training program which complies with Title 22, section 66265.16.

This item was completed prior to the signing of the Agreement. A hazardous waste training program was developed as part of the original Part B application submittal in November 1988 and subsequently revised in February 1991 and June 1992. It can be found in Section 9 of the Part B application and is maintained on-site.

6.1.14 Respondent will maintain accumulation dates on pallets of batteries, as required by Title 22, section 66266.81(a)(7)(D).

This item was completed prior to the signing of the Agreement. A bold-face, permanent marker is used to legibly and conspicuously apply the date of receipt to each pallet of batteries placed in storage at the GNB facility.

6.1.15 Respondent will file a Notice of Discrepancy in the event that it receives waste from a foreign generator under a manifest that is incomplete, as required by Title 22, section 66265.72.

In the event that GNB receives lead-bearing material (e.g., "waste") from a foreign generator under a manifest that is incomplete, GNB agrees to file a Notice of Discrepancy with the Department. Upon discovering a significant discrepancy (as defined in 22 CCR 265.72), GNB will attempt to reconcile the discrepancy with the supplier and/or transporter by telephone. If the discrepancy cannot be resolved within 15 days after receipt of the

material, GNB will immediately send a letter to the Department describing the discrepancy and attempts made to resolve it, and a copy of the manifest and/or shipping papers at issue.

6.1.16 Respondent will maintain an operating record, which, without limitation, cross-references the storage location of hazardous waste received under manifest with the appropriate manifest document numbers, as required by Title 22, section 66265.73(b)(2).

This item was completed prior to the signing of the Agreement. Current practice for the receipt of lead-bearing material received under manifest (e.g., hazardous "waste"), is to immediately place the material into process within the blast furnace feed room. If this is not possible for any reason, GNB does and will maintain a record which indicates into which bin the material was placed for storage. The permitted container storage areas at the facility have individual "bins", or sub-areas, that have been labelled with numbers. The record thus reflects material storage location by bin number. See Exhibit 3.

6.1.17 Respondent will maintain training records which satisfy the provisions of Title 22, sections 66265.16(d) and (e) and include, without limitation, a showing that employees handling hazardous wastes (including, without limitation, slags, drosses and polypropylene chips) have received training within six months of beginning employment.

This item was implemented prior to the signing of the Agreement. Documentation that shows that new employees have received and completed the required training within six months of beginning employment is maintained in the office of the Safety Manager. An example of one type of training documentation is presented as Exhibit 4.

6.1.18 Respondent will refrain from charging the reverberatory furnace with rubber chips in excess of those needed as a reducing agent.

This item was implemented prior to the signing of the Agreement. When batteries are processed through the RMPS, the individual components are segregated. The rubber chips/battery separator fluff, the main elemental component of which is carbon, are charged to the furnace as a substitute for coke which is necessary as a reducing agent. Only that amount of rubber chips necessary to yield a reducing environment in reverberatory is charged to the furnace. Occasionally, if not enough rubber chips are available, coke is added to the furnace. No rubber chips/separator fluff is received from offsite.

6.1.19 Respondent has cleaned its Engineering and Laboratory Building and, as required by Title 22, section 66265.173, will ensure that it does not contain open, unlabelled containers of hazardous wastes.

This item was completed prior to the signing of the Agreement. The building is completely cleaned and vacant.

6.1.20 Respondent has cleaned its Sampling Lab and will keep the floor of this area free of lead granules.

This item was implemented prior to the signing of the Agreement. The Sampling Lab has been cleaned. A designated employee has been assigned the responsibility of maintaining the area, including its floor, free from debris (e.g., lead granules).

6.1.21 Respondent will manage broken and leaking batteries as hazardous waste and shall, without limitation, store damaged batteries inside closed containers, as required by Title 22, section 66265.81(b)(1).

This item was implemented prior to the signing of the Agreement. Loads of incoming batteries are inspected at the gate. Only non-leaking batteries secured to pallets are placed in storage. If any batteries are found to be leaking, they are immediately unloaded into process. If, upon inspection of an incoming load, it is observed that the batteries were improperly loaded, resulting in numerous overturned batteries, GNB may refuse the load and inform the supplier that only batteries loaded and transported in accordance with 22 CCR 66266.81(b)(1) will be accepted at the facility.

GNB is currently encouraging its suppliers of batteries to switch to re-usable, reinforced, plastic boxes (with approximately the same capacity as one pallet of batteries) for shipping spent batteries. The boxes accommodate lids and would contain any leaking batteries.

6.1.22 Respondent will take precautions necessary to ensure that it does not accept metallic sodium waste.

This item was implemented prior to the signing of the Agreement. Loads of incoming materials are visually inspected to determine whether the contents match the description on the manifest or shipping papers and to ensure that the material is on GNB's list of acceptable materials. These procedures are described in Section 5 of the Part B application. As drummed material is unloaded into process within the blast furnace feed room, the contents is further inspected to ensure that deleterious materials are not charged to the furnace.

6.1.23 Respondent will (i) properly handle its wastewater treatment filter media as a hazardous waste and (ii) will place this material inside closed containers from which there will be no leaks onto the ground or the Facility substrate, as required by Title 22, section 66265.31.

This item was implemented prior to the signing of the Agreement. Wastewater treatment filter media is initially transferred from the sand filters into an appropriate container. This material is then immediately transferred into process within the blast furnace feed room.

6.1.24 Respondent will maintain containers of hazardous waste, including, without limitation, lead dross and batteries, properly labelled, free from leaks and securely closed, except when necessary to add or remove material from such containers, as required by Title 22, sections 66265.171 and 66266.81(b)(1).

This item was initiated prior to the signing of the Agreement. Lead dross from the refinery kettles is skimmed off into steel boxes. The dross is removed from kettles of molten lead and is likewise, at a high temperature when first placed in the steel box. The boxes are managed within a designated area of the refinery department, inside the building. Due to the high temperature, a "tight" lid cannot be placed on the box. A loose cover is placed over the box in order to meet the requirements of 22 CCR 66265.171. Again, due to the heat of the dross, a labelled cannot be applied to the box. A sign is maintained at the boundary of the designated area and contains the information that would otherwise appear on a label. When the dross is cool enough, and before it is moved to any other storage area, a label is affixed to the box and it is securely covered.

Loads of incoming batteries are inspected at the gate. Only non-leaking batteries secured to pallets are placed in storage. If any batteries are found to be leaking, they are immediately unloaded into process. If, upon inspection of an incoming load, it is observed that the batteries were improperly loaded, resulting in numerous overturned batteries, GNB may refuse the load and inform the supplier that only batteries loaded and transported in accordance with 22 CCR 66266.81(b)(1) will be accepted at the facility.

6.1.25 Respondent will store hazardous waste including, without limitation, waste batteries and waste bundles received from K W Plastics, only in areas which are authorized under its Interim Status Document or Permit.

This item was initiated prior to the signing of the Agreement. GNB stopped accepting any material from KW Plastics prior to the signing of the Agreement. Drummed hazardous "waste" (e.g., recyclable lead-bearing materials) from other offsite suppliers are stored only in designated areas as described in the Part B application.

6.1.26 Respondent will conduct regular inspections of the rainwater retention pond located at the south end of its Facility.

Chief, Facility Management Branch -- Region III

September 18, 1993

Page 9

This item was initiated prior to the signing of the Agreement. The primary responsibility for the inspections rests with the Environmental Chemist. The rainwater retention pond is regularly inspected both when it is full and when it is empty. An example of the inspection log for the rainwater retention pond is attached as Exhibit 5.

6.1.27 Respondent will submit a written report to the Department within 15 days after any fire or other emergency requiring the implementation of the Contingency Plan, as required by Title 22, section 66265.56.

GNB agrees that within 15 days of an incident which necessitated the implementation of emergency procedures described in the Contingency Plan, GNB will send a written report to the Department which will include the information specified under 22 CCR 66265.56(j). This requirement is described in the Contingency Plan. Table 10.10 in the plan lists the information that would be supplied.

6.1.28 Respondent will maintain Land Disposal Restriction notifications for wastes received, as required by Title 22, section 66265.73(b)(9).

This item was initiated prior to the signing of the Agreement. The only materials accepted at the facility are those which are amenable to lead reclamation. However, as required by 22 CCR 265.73(b)(9), a copy of the LDR notice which accompanies each shipment of hazardous "waste" received at the facility is maintained in the Environmental Clerk's Office. An example is attached as Exhibit 6. No lead-bearing material (e.g., "wastes") received at the GNB facility are managed in land disposal units.

6.1.29 Respondent will maintain copies of Land Disposal Restrictions for hazardous wastes shipped offsite, as required by Title 22, section 66268.7.

This item was initiated prior to the signing of the Agreement. A copy of the Land Disposal Restriction notice used for hazardous wastes (e.g., blast furnace slag) shipped offsite is attached as Exhibit 7.

6.1.30 Respondent will maintain aisle space, as required by Title 22, section 66265.35, including, without limitation, in the battery storage yard.

This item was initiated prior to the signing of the Agreement. Within the permitted storage areas, aisle space of at least 18 inches is and will be maintained along all walls. Pallets of batteries and/or drummed material will be arranged four pallets across with at least 18 inches of aisle space between every four pallets. As a separate issue, temporary palletized storage of batteries in the west yard was authorized by the Department with the same 18 inch aisle space implementation. Currently, the only battery storage in the west yard takes place in trailers. Aisle space sufficient to allow the movement of tractors and forklifts is

Chief, Facility Management Branch -- Region III
September 18, 1993
Page 10

maintained and is also more than adequate for inspection and emergency response. A more permanent off-site method for battery storage is currently under evaluation.

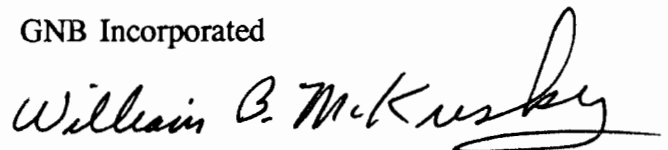
6.1.31 Respondent will maintain containers of recyclable materials labelled with the words "Excluded Recyclable Material" and any other language required by HSC sections 25143.2 and 25143.9.

This item was completed prior to the signing of the Agreement. Containers of recyclable materials that are not classified as RCRA or California hazardous waste (for example, dross generated from GNB's refinery kettles and recycled on-site) are appropriately labelled. The label also includes a warning that the material contains lead and must be managed by personnel equipped with the proper personal protection equipment.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

GNB Incorporated



William B. McKusky
Environmental Manager

WBM:klb

490.4

W90-9310917CHIE.MCK

Chief, Facility Management Branch -- Region III
September 18, 1993
Page 11

Attachments:

- Exhibit 1 Letter to Emergency Responders
- Exhibit 2 Generator's Certification Letter
- Exhibit 3 Designated Container Storage Areas
- Exhibit 4 Acknowledgement of New Hire Orientation
- Exhibit 5 Rainwater Retention Pond Inspection Log
- Exhibit 6 LDR Notice for Wastes Received Offsite
- Exhibit 7 LDR Notice for Wastes Shipped Offsite

cc: Dennis A. Ragen
Deputy Attorney General
110 West A Street, Suite 700
P.O. Box 85266
San Diego, California 92186-5266

Mr. Edward L. Puckett, General Manager, Resource Recycling Division

Mr. Richard Crowell, Director, Environmental Development

Mr. Richard Thompson, Environmental Engineer

GNB Incorporated

Resource Recycling Division

2700 South Indiana Street
P.O. Box 23957
Los Angeles, CA 90023-0957
Telephone (213) 262-1101
FAX Adm. (213) 269-1906
Gen. (213) 266-1817



(Address)

Gentlemen:

In compliance with rules and regulations of the California Department of Toxic Substance Control, this letter is to give notice that GNB Incorporated operates a manufacturing plant that handles material classified as hazardous waste. This site also includes an on-site waste treatment facility.

GNB is obligated to maintain an Emergency Contingency Plan on site to be used in the event of an emergency. Enclosed is our revised Emergency Contingency Plan. Please pass it on to the responsible authority in your agency.

We would like to invite a representative (s) of your agency to meet with us at your convenience to familiarize yourself with our operation. If a personal visit is not necessary a written response would be greatly appreciated.

Thank you for your assistance.

Sincerely,

GNB Incorporated

Ralph Kafka
Health And Safety Manager

May 27, 1992

Raw Material Supplier
Address
City, State

Re: Generator Certification

Dear :

GNB Incorporated is subject to regulation under the California Code of Regulations and the federal Resource Conservation and Recovery Act (RCRA) as a treatment, or storage facility for hazardous waste. As part of the Waste Analysis Plan required by CCR 66245.13 and 40 CFR 265.13 under those laws, GNB is asking raw material suppliers to certify that only materials from a GNB approved list will be sent to this facility for recovery. GNB may only receive the following materials:

- Whole lead-acid storage batteries or component parts
- Lead-bearing materials (plant scrap) from lead-acid battery manufacturing, lead oxide manufacturing, and lead smelting industries:

- Acid dump/fill solids
- Air filter bags and cartridges
- Baghouse bags
- Battery covers with posts
- Battery grids, posts, and separators
- Charging jumpers and clips (with insulated wire removed)
- Cheesecloth from pasting rollers
- Emission control dust
- Lead oxide and lead oxide residues
- Lead plates and groups
- Pasting belts
- Purchased drosses

Generator Certification Letter

May 27, 1992

Page 2

Scrap metal
Slag
Sump mud
Sweepings
Wastewater treatment filter press cloth

Other lead-bearing materials may be accepted on a case by case basis - *call for approval prior to shipment* - and will require completing the attached recyclable material profile form. Materials requiring prior approval include:

Acid filters
Battery electrolyte (sulfuric acid)
Emission control sludges, filter cakes, residues and solids
Lead based pigments and compounding agents
Shop abrasives
Water treatment sludges, filter cakes, residues and solids

Additional restrictions on materials which can be accepted must also be imposed to protect facility employees and the environment. For the same reason, GNB will not accept any authorized materials which are contaminated with waste oils, asbestos, PCBs, aluminum, mercury, solvents, sodium or any waste contaminants other than indigenous lead-acid battery materials or lead alloying metals (arsenic, antimony, etc.). It is the responsibility of the supplier to ensure that only authorized materials are shipped.

Except for whole, undamaged lead-acid batteries, materials listed above must be received under hazardous waste manifest together with a Land Disposal Restriction Certification (see attached form) *with each shipment*. The materials listed above will be accepted when packaged in accordance with DOT shipping requirements. We ask that, wherever possible, you eliminate or minimize the use of stretch wrap.

GNB is prohibited from charging certain material to our furnaces by California's South Coast Air Quality Management Division. Material that is *not* acceptable includes but is not limited to:

Asphalt paving materials
Battery cases, covers without posts, vents, buttons, separators
Clothing (e.g. coveralls, aprons, shoes, hats, gloves, etc.)
Contaminated pallets

Generator Certification Letter

May 27, 1992

Page 3

- Fluff from lead wire and cable casings
- Paper hand towels
- Pasting additive bags
- Platen abrasive
- Respirators and cartridges
- Spent laboratory chemicals
- Stacking boards
- Waste shipping containers (e.g. cartons, bags, drums, cardboard, etc.)
- Wiping rags and sponges

Only those shipping containers and pallets used directly for the shipment of raw materials will be acceptable.

Only those battery cases, covers, vents, and separators that arrive as components of a battery or battery plates and groups will be acceptable. Segregated cases, covers without posts, vents, buttons, and separators should be shipped directly to a plastics reclamation facility, or otherwise properly disposed.

If inspection at GNB determines that materials from your facility are not acceptable based upon the above criteria, GNB has no choice but to repack the material and arrange for proper disposal at an appropriate hazardous waste disposal facility. The cost for this disposal will be billed to your company.

We hope that you understand the regulatory environment in which our facility must operate and the need for these guidelines to protect our employees and the environment. We thank you for your cooperation and ask that you certify below that you have read the above restrictions and will abide by them. Please return an original signed copy of this letter to us within 15 days of receipt of this letter.

Sincerely,
GNB Incorporated

William B. McKusky
Environmental Engineer

Attachments

490.4 490-02 PARTBLT.F10

GENERATOR CERTIFICATION

The undersigned has read and understands the requirements set forth in the attached letter and agrees to send to the GNB Incorporated facility in Vernon, California only those materials which conform with these restrictions. We, the undersigned, understand that GNB may reject any shipment containing unacceptable material(s) or, if necessary, dispose of the unacceptable materials at an appropriate hazardous waste disposal facility. We, the undersigned, agree to bear any costs associated with such off-site disposal including analysis, transport, treatment, disposal fees, penalties and/or fines.

Company

Signature

Name and Title

Address

Date

EPA I.D. Number

GNB INCORPORATED
LAND DISPOSAL RESTRICTIONS CERTIFICATION

Attach to Hazardous Waste Manifest Number: _____

Attach Available Analytical Data

I certify that the material(s) described on the attached Hazardous Waste Manifest are sent to GNB Incorporated, Vernon, California for *RECYCLE ONLY*.

Should this material be disposed of in any other manner, it is subject to the following treatment standards as prescribed under CCR 66268 and 40 CFR 268 (check all that apply):

40 CFR 268.41 TREATMENT STANDARDS EXPRESSED AS CONSTITUENT CONCENTRATIONS IN WASTE EXTRACT

- ☐ D008 - Non Wastewaters 5.0 mg/l Lead
- ☐ K069 (Calcium Sulfate Subcategory) Non Wastewaters 0.14 mg/l cadmium
0.24 mg/l lead

268.42 TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES

- ☐ D002 Acid Subcategory
DEACT: deactivation to remove hazardous characteristic due to its corrosivity.
- ☐ D003 Non Wastewaters (reactive - when mixed with water, generates toxic gases)
DEACT: deactivation to remove hazardous characteristic due to its reactivity.
- ☐ D008 Lead acid batteries (Note: this standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of 40 CFR 268 or exempted under other EPA regulations - see 40 CFR 266.80).
RLEAD: thermal recovery of lead in secondary lead smelters
- ☐ K069 Emission control dust/sludge from secondary lead smelting:
Non calcium sulfate subcategory. Non wastewaters.
RLEAD: thermal recovery of lead in secondary lead smelters

40 CFR 268.43 TREATMENT STANDARDS EXPRESSED AS CONSTITUENT CONCENTRATIONS IN WASTES

- ☐ D008 Wastewaters 5.0 mg/l lead

Signature

Name and Title

Date

WPC-020150NBB-070

GNB INCORPORATED
RECYCLABLE MATERIAL PROFILE

GENERAL INFORMATION

1. Generator Name: _____ USEPA Generator ID # _____
2. Generator Address: _____ Billing Address: _____

3. Technical Contact/Phone: _____
Alternate Contact/Phone: _____
Billing Contact/Phone: _____

PROPERTIES AND COMPOSITION

4. Process Generating Waste: _____
5. Waste Name: _____
6. a. Is this a California Hazardous Waste (CCR66261)? ☐ Yes ☐ No
b. Identify all applicable California waste codes: _____
7. a. Is this a USEPA Hazardous Waste (40 CFR 261)? ☐ Yes ☐ No
b. Identify all USEPA listed and characteristic waste code numbers (D, F, K, P, U): _____
8. Physical state: ☐ Liquid ☐ Solid ☐ Both
☐ Singlelayer ☐ Multilayer
☐ Free Liquid Range ____ to ____%
9. pH range _____ or not applicable _____
10. Strong odor? Describe _____
11. Liquid flash point: _____ or not applicable _____
12. Chemical composition: List all known constituents present in any concentration:
Attach analytical reports where available.

_____	to	_____%
_____	to	_____
_____	to	_____
_____	to	_____
_____	to	_____
_____	to	_____
_____	to	_____
Total composition (must equal or exceed 100%) _____		

13. Is this material listed on Appendix XI of 40 CFR 266? ☒ Yes ☐ No

If not, provide: Total toxic organic constituents: _____ ppm
Heating Value _____ Btu/lb

I certify that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification. I believe that the information I submitted is true, accurate, and complete. I agree to bear responsibility for any waste which does not conform to the above description.

Signature

Name and Title

Date

For GNB Use Only _____

☐ This material is acceptable for recycle

Prior California EPA Approval Required

☐ Yes

☐ No

☐ This material is not acceptable for recycle

Comments:

Signature

Name and Title

Date

Inter-Office Memo



To Supervisors & Mgrs. From R. Smith, Jr.

Dept./Div. RRD\ENV

Date 9-07-93

Location ENV./LARRD

Subject Designated Container Storage Areas

Copies to J. Littleton
W. McKusky
File

The plant has 5 Regulated Container Storage Areas.

1. Battery Storage Building (Bins 106, 107, 108)
2. Battery Storage Building (Bins 104, 105)
3. Battery Storage Building (Bin 103)
4. Battery Storage Building (Bins 101, 102)
5. West Yard (Trailerred batteries only)

The areas listed above are to be used for storage of containerized materials. While materials are being transferred to process, being put into process, being sampled or going through the shipping or receiving process, they may be out of these Regulated areas. Otherwise containerized materials or containers that once were used for materials must remain in one of the above listed areas.

R. Smith, Jr.



ACKNOWLEDGEMENT OF NEW HIRE ORIENTATION

ON _____ I, _____ WAS
GIVEN THE GNB NEW HIRE ORIENTATION PRIOR TO REPORTING TO MY
WORK PLACE. THE FOLLOWING ITEMS OF INSTRUCTION WERE GIVEN TO
AND UNDERSTOOD BY ME:

1. Emergency Contingency Plan.
2. Right To Know / Hazardous Communication.
3. Emergency Evacuation Procedures.
4. Hazwoper.
5. Confined Space.
6. Lock Out / Tag Out.
7. Fire Extinguisher Training.
8. GNB Illness & Injury Prevention Program.
9. Cadmium Standard.
10. Affects Of Lead On Reproduction. (Video)
11. Bloodborn Pathogens.
12. Lead Standard. (Video)
13. Respirator Training / Personnal Protective Equipment.
14. GNB Operations Overview. (Video)
15. Safety Programs and Procedures.
16. Accident Reporting.
17. Personal Hygiene.
18. Vehicle Training Program.
19. Plant Rules of Conduct.
20. Hearing Protection. (Video)
21. Handling Hazardous Material. (Video)
22. Protecting Your Back. Ergonomics. (Video)

Trainer _____ Employee

COPY

DAILY RAINWATER RETENTION POND LOG

MONTH:

DATE	METER READING	POND LEVEL	PUMP ON/OFF	MAN HOLE LEVEL RETENTION	SIGN
5-1-93	36946 =	80%	OFF	3"	ET
5-2-93	38109 = 1263	80%	OFF		CG
5-3	39211 = 1102	80%	ON	NEED PUMP	ET
5-4-93	39457 = 0246	80%	OFF		CG
5-5-93	39933 = 4760	80%	OFF	Made work order for new pump	ET
5-6-93	40501 = 5680	80%	OFF	MARCO'S going to fix pump	ET
5-7-93	40886 = 3850	80%	ON	2 pumped out	ET
5-8-93	41839 = 3489	70%	OFF	2"	CG
5-9-93	42757 = 9180	75%	OFF		ET
5-10-93	43764 = 10070	75%	OFF	OFF	ET
5-12-93	44263 = 34183	70%	OFF		CG
	2 Days				
5-14-93	45434 = 11710	70%	OFF	OFF	ET
5-15-93	46218 =	70%	OFF	ON	ET
5-17-93	50004 = 03786	65%	ON	5" Pumping out	M
5-18-93	50058 = 546	65%	ON	Pump ON	ET
5-19-93	50104 = 4600	60%	ON	OFF	ET
5-20-93	50307 = 2030	60%	ON	OFF	ET
5-21-93	50636 = 3290	60%	ON	Pump ON	ET
5-22-93	51337 = 7010	45%	OFF	OFF	ET
5-23-93	51922 = 10585	40%	ON	Pump on	CG
5-24-93	53499 = 15770	35%	ON	pump on	M
5-25-93	53701 = 2020	35%	ON	pump on	M
5-26-93	54187 = 4860	35%	ON	pump off	ET
5-27-93	54456 = 2690	30%	OFF	3' pump out	ET
5-28-93	54549 = 430	25%	OFF	OFF	ET
5-29-93	55063 = 11140	20%	OFF	OFF	ET
5-31-93	58132 = 14690	15%	ON	Pumping out	M

T 046

51337
50636
70

53499
51922

53701
53499
50702

34
54456
54187
119

GMB INCORPORATED
LAND DISPOSAL RESTRICTIONS CERTIFICATION

Attach to Hazardous Waste Manifest Number: _____
Attach Available Analytical Data

I certify that the material(s) described on the attached Hazardous Waste Manifest are sent to GMB Incorporated, Vernon, California for *RECYCLE ONLY*.

Should this material be disposed of in any other manner, it is subject to the following treatment standards as prescribed under CCR 66268 and 40 CFR 268 (check all that apply):

40 CFR 268.41 TREATMENT STANDARDS EXPRESSED AS CONSTITUENT CONCENTRATIONS IN WASTE EXTRACT

- ☐ D008 - Non Wastewaters 5.0 mg/l Lead
☐ K069 (Calcium Sulfate Subcategory) Non Wastewaters 0.14 mg/l cadmium
0.24 mg/l lead

268.42 TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES

- ☐ D002 Acid Subcategory
DEACT: deactivation to remove hazardous characteristic due to its corrosivity.
- ☐ D003 Non Wastewaters (reactive - when mixed with water, generates toxic gases)
DEACT: deactivation to remove hazardous characteristic due to its reactivity.
- ☐ D008 Lead acid batteries (Note: this standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of 40 CFR 268 or exempted under other EPA regulations - see 40 CFR 266.80).
RLEAD: thermal recovery of lead in secondary lead smelters
- ☐ K069 Emission control dust/sludge from secondary lead smelting:
Non calcium sulfate subcategory. Non wastewaters.
RLEAD: thermal recovery of lead in secondary lead smelters

40 CFR 268.43 TREATMENT STANDARDS EXPRESSED AS CONSTITUENT CONCENTRATIONS IN WASTES

- ☐ D008 Wastewaters 5.0 mg/l lead

Signature

Name and Title

Date

490-920519GNBB.07D

California Land Disposal Restriction Notice and Certification

Generator Name	Manifest Number
California hazardous waste Code(s)	

This Form is submitted to _____ in accordance with the requirements of CCR Title 22, Chapter 30, Article 40 which restricts the land disposal of certain hazardous wastes. I have marked the appropriate box (boxes A, through D.) below to indicate how my waste must be managed to conform to the land disposal restrictions. A copy of all applicable treatment standards and waste analysis data, where available, is maintained at the GNB Battery Technologies facility identified on the manifest referenced above. If the waste is not a RCRA regulated hazardous waste, I have also entered the appropriate California Waste Code and checked the appropriate box in the table below to indicate the applicable non-RCRA hazardous waste listing from 22 CCR Section 67702.

Complete This table For Non-RCRA, California Regulated Hazardous wastes Only			
Line Item	Check Here	Restricted waste Description	Reference CCR Title 22
1		Metal-containing aqueous waste that contains any of the metals or metal compounds identified in 22 CCR 66699(b).	67702(b)(1)
2		Wastes containing polychlorinated biphenyls (PCBs).	67702(b)(2)
3		[reserved]	
4		[reserved]	
5		[reserved]	
6		[reserved]	
7		Metal-containing solid waste that contains any of the metals or metal compounds identified in 22 CCR 66699(b).	67702(b)(7)
8		[reserved]	
9		[reserved]	
10		Aqueous and liquid organic waste that contain any organic compound measured by EPA Test Methods 8080, 8140, 8150, 8240, and 8270 described in <i>Test methods for Evaluating Solid wastes, Physical/ Chemical Methods, SW-846, Third Edition.</i>	67702(b)(10)
11		Solid hazardous wastes that contain any organic compound measured by EPA Test Methods 8080, 8140, 8150, 8240, and 8270 described in <i>Test methods for Evaluating Solid wastes, Physical/ Chemical Methods, SW-846, Third Edition.</i>	67702(b)(11)

☐ **A. RESTRICTED WASTE REQUIRES TREATMENT**
 I am the generator of the waste identified above which must be treated to meet the applicable treatment standards set forth in CCR Title 22, Chapter 30, Article 41 prior to land disposal.

☐ **B.1 RESTRICTED WASTE TREATED TO PERFORMANCE STANDARDS**
"I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based upon my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in CCR Title 22, Chapter 30, Article 41 without dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment."

☐ **C. RESTRICTED WASTE SUBJECT TO A VARIANCE**
 The waste identified above is subject to a capacity variance which expires on _____.

☐ **D. RESTRICTED WASTE CAN BE LAND DISPOSED WITHOUT FURTHER TREATMENT**
"I certify under penalty of law that I have personally examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in CCR Title 22, Chapter 30, Article 41 without dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment."

I hereby certify that all information submitted in this and all associated documents is complete and accurate to the best of my knowledge and information.		
Signature	Title	Date

SEYFARTH, SHAW, FAIRWEATHER & GERALDSON
ATTORNEYS AT LAW

815 CONVENT ROAD, SUITE 200
WASHINGTON, DC 20004-4001
TEL 202 638-2400
FAX 202 638-2400

ONE CONVENT PLACE, SUITE 2000
9000 CONVENT PLACE EAST
LOS ANGELES, CA 90007-0001
TEL 213 777-7500
FAX 213 777-7500

101 THIRD AVENUE
NEW YORK, NY 10017-2015
TEL 212 711-0000
FAX 212 711-0010

101 CALIFORNIA STREET, SUITE 2000
SAN FRANCISCO, CA 94111-4000
TEL 415 777-2000
FAX 415 777-2000

770 L STREET, SUITE 1100
SACRAMENTO, CA 95814-4000
TEL 415 445-2000
FAX 415 445-4010

55 EAST MONROE STREET - SUITE 4200
CHICAGO, ILLINOIS 60603-5903
(312) 545-2000
FAX (312) 550-2869

WEATHERS DIRECT DIAL

015

INTERNATIONAL

AVENUE LOUISE 800, MOORE &
1044 BRUNSWICK, BRUNSWICK
TELEPHONE 03 93 414444
FAX 03 93 414444

AFFILIATE FIRMS

MATTHEWS, THORNTON & CLARK
TORONTO, CANADA

MATTHEWS, MATTHEWS & HALL
MONTREAL AND LEBANON, MONTREAL
QUEBEC, CANADA

February 3, 1993

BY FACSIMILE AND U.S. MAIL

Dennis A. Ragen, Esq.
Deputy Attorney General
State of California
Department of Justice
110 West A Street, Suite 700
P.O. Box 85266
San Diego, California 92186-5266

Re: GNB Incorporated, Metals Division, Vernon, California

Dear Dennis:

I have discussed with GNB management your January 25, 1993 letter to me and have the following responses to your information requests:

1. Describe GNB plans, if any, for installing the proposed material handling system at the Vernon facility

Response: GNB does not presently have a specific schedule for the installation of its proposed new material handling system at Vernon, since it is not yet known whether such a system is commercially practical. It is this very uncertainty which necessitates the proposed research project. It is also impractical to hypothesize an implementation schedule should the research project be successful, since just when the system might be installed at Vernon depends on several variables.

First, GNB plans to give full priority to its electrowinning project in both funding and engineering

SEYFARTH, SHAW, FAIRWEATHER & GERALDSON

Page 2

Dennis A. Ragen, Esq.

February 3, 1993

resources. As we have discussed, this new technology will revolutionize the industry and result in a very dramatic reduction in point source emissions. Its development will also tax the limits of GNB's financial and engineering resources. Only through this all out priority effort and governmental co-funding will it succeed. Although the material handling improvements are expected to significantly reduce fugitive emissions, those reductions will not approach the emission reductions expected through electrowinning. For these reasons, we plan to subordinate the material handling program implementation and cannot now predict when it might occur. We can assure you, however, that we are realists and recognize that California's ever stricter air emission standards will force its implementation in the not too distant future. We would not expend the funds to develop it if we didn't intend to install it.

Second, as you have seen, the Vernon facility has lost money during the recent past and has limited financial resources. Since the development and conversion to electrowinning is expected to exceed \$8,000,000 and the material handling improvements program expected to exceed \$5,000,000, these cannot be accomplished concurrently. Neither program is expected to result in any significant improvement in productivity -- they are entirely for the benefit of the environment. As such, their burden must be carefully spread to ensure the financial viability of the facility. GNB is leading the industry in these developments, but can only sustain so much burden at a time.

Finally, implementation of the material handling program is likely to shift emission control burdens to other systems at the facility. Just how this affects GNB's air permits or just how long it will take to secure any necessary modifications to those permits is entirely unknown. This will all have to be negotiated before the system can be implemented.

For all these reasons we cannot possibly predict when the material handling system changes will actually occur. We can, however, assure you that if the system is shown to be commercially practical it is our present intention to install it at Vernon as soon as available resources permit.

SEYFARTH, SHAW, FAIRWEATHER & GERALDSON

Page 3

Dennis A. Ragen, Esq.

February 3, 1993

2. Has GNB discussed this proposal with AQMD

Response: As you mentioned to me during our phone conversation this morning, GNB engineers and AQMD representatives are apparently discussing what the likely effects of such changes will be and whether GNB's present control systems are capable of handling them. Since you or DTSC have apparently discussed this with AQMD, you may know more than I do on the subject, but it is my understanding that AQMD is interested in the project and presently evaluating its likely affect on the emissions they regulate.

In conclusion, GNB does have "firm, realistic" plans to install this material handling system if it proves practical. We just cannot give you a schedule now because of the uncertainties noted above.

Since further delay in the resolution of this enforcement action will seriously threaten the electrowinning project and since that project is by far the most promising area of development for environmental improvement, I urge you in the strongest possible terms to be reasonable in your expectations on the material handling system. We must settle this case now or risk losing the co-funding needed to develop electrowinning.

As further incentive for your prompt resolution of these issues, GNB is willing to increase its penalty offer from \$100,000 to \$150,000, spread over a three-year period as follows:

\$50,000 payable 30 days after entry of the settlement agreement.

\$50,000 payable January 1, 1994.

\$50,000 payable January 1, 1995.

This is a significant financial sacrifice for this marginal but important facility. It is meant to dramatize the urgency we feel in the need to resolve this matter. I look forward to your prompt response.

Very truly yours,

SEYFARTH, SHAW, FAIRWEATHER & GERALDSON

By


Thomas G. Dent

TGD:js (13300)

ANDREWS & KURTH

L.L.P.

ATTORNEYS

1701 PENNSYLVANIA AVENUE, N.W.

SUITE 200

WASHINGTON, D.C. 20006

OTHER OFFICES:
HOUSTON
DALLAS
LOS ANGELES
NEW YORK

TELEPHONE (202) 662-2700
TELECOM (202) 662-2739
TELEX 79-1203

February 2, 1993

Via Telecopy

Dennis A. Ragen, Esquire
Deputy Attorney General
California Department of Justice
110 West A Street, Suite 700
P.O. Box 85266
San Diego, CA 92186-5266

Re: K W Plastics and Wiley Sanders Truck Lines

Dear Mr. Ragen:

As you know, we tentatively scheduled a meeting, either on February 18 or 19, to discuss the Department's proposal dated November 16, 1992.

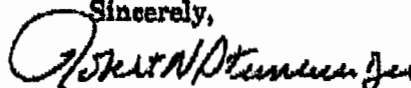
In order to finalize travel plans, I need to know if the meeting is going to occur, the date of the meeting, and the location for the meeting.

Furthermore, I need to receive the correspondence, inspection reports, and test data referenced in my letter dated December 7, 1992. I need to receive this information several days before our meeting.

Please contact me as soon as possible so that I can schedule the trip, secure tickets, and make arrangements with my clients.

Thank you for your attention to this matter.

Sincerely,



Robert N. Steinwurtzel

RNS/rah